

**IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF ARKANSAS
DELTA DIVISION**

**SERAFIN ESQUIVEL-PADILLA
Reg #30296-074**

PETITIONER

v.

Case No. 2:19-cv-00106-KGB

**DEWAYNE HENDRIX, Warden
Forrest City Federal Correctional Institution**

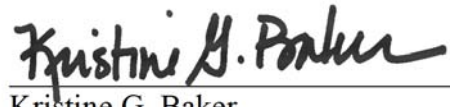
RESPONDENTS

ORDER

The Court has reviewed the Proposed Findings and Recommendations submitted by United States Magistrate Judge Joe J. Volpe (Dkt. No. 10). Petitioner Serafin Esquivel-Padilla has not responded, and the time to file a response has passed. After careful review, the Court concludes that the Proposed Findings and Recommendations should be, and hereby are, approved and adopted in their entirety as this Court's findings in all respects (Dkt. No. 10). The Court finds Mr. Esquivel-Padilla's petition for writ of habeas corpus without merit, grants Mr. Hendrix's motion to dismiss, and dismisses Mr. Esquivel-Padilla's petition (Dkt. Nos. 2, 6).

When entering a final order adverse to a habeas corpus petitioner, the Court must issue or deny a certificate of appealability. Rule 11 of the Rules Governing Section 2254 Cases. A certificate of appealability may issue only if a petitioner has made a substantial showing of the denial of a constitutional right. 28 U.S.C. § 2253(c)(1)-(2). In this case, there is no basis for this Court to issue a certificate of appealability. Accordingly, a certificate of appealability is denied.

So ordered this the 28th day of September, 2020.

A handwritten signature in black ink, reading "Kristine G. Baker". The signature is written in a cursive, flowing style. It is positioned above a horizontal line that extends to the right.

Kristine G. Baker
United States District Judge